

The Honorable Thomas O. Rice

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON AT SPOKANE**

**MATTHEW L. LEBSACK,**  
**Plaintiff,**

v.

**UNION PACIFIC RAILROAD  
COMPANY,** a Delaware corporation

**Defendant.**

Case No. 2:18-CV-00019

**STIPULATED MOTION OF  
DISMISSAL AND [PROPOSED]  
ORDER**

**STIPULATION**

The Parties, through their undersigned counsel, hereby stipulate to dismissal of this action under Rule 41(a)(1) with prejudice, and without an award of costs to and fees to any party.

DATED this 12<sup>th</sup> day of March, 2019.

ROSSI VUCINOVICH, PC

FISHER & PHILLIPS LLP

By: James K. Vucinovich  
James K. Vucinovich, WSBA # 29199  
jvucinovich@rvflegal.com  
*Attorneys for Plaintiff*

By: Clarence M. Belnavis  
Clarence M. Belnavis, WSBA #36681  
cbelnavis@fisherphillips.com  
Margaret A. Burnham, WSB #47860  
mburnham@fisherphillips.com  
Fisher & Phillips LLP  
1201 3<sup>rd</sup> Avenue, Suite 2750  
Seattle, WA 98101  
*Attorney for Defendant*

**ORDER**

Based on the foregoing Stipulation, it is hereby ORDERED that this action is dismissed with prejudice.

Dated: \_\_\_\_\_, 2019

BY THE COURT:

\_\_\_\_\_  
THE HONORABLE THOMAS O. RICE

Presented by:

ROSSI VUCINOVICH, PC

By: s/ James K. Vucinovich  
James K. Vucinovich, WSBA # 29199  
*Attorney for Plaintiff*

FISHER & PHILLIPS LLP

By: s/ Clarence M. Belnavis  
Clarence M. Belnavis, WSBA #36681  
*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that I served a true and correct copy of the foregoing **STIPULATED MOTION OF DISMISSAL AND [PROPOSED] ORDER** on the date indicated with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Clarence M. Belnavis  
Margaret A. Burnham  
Fisher & Phillips LLP  
1201 3<sup>rd</sup> Avenue, Suite 2750  
Seattle, WA 98101  
(206) 682-2308  
[cbelnavis@fisherphillips.com](mailto:cbelnavis@fisherphillips.com)  
[amilligan@fisherphillips.com](mailto:amilligan@fisherphillips.com)  
**ATTORNEYS FOR DEFENDANT**

Robert J. Gibbons (US Mail)  
Union Pacific Railroad Company  
13181 Crossroads Parkway North, Suite 500  
City of Industry, CA 9174  
[rgibbons@up.com](mailto:rgibbons@up.com)  
**ATTORNEYS FOR DEFENDANT**

Date: March 12, 2019

**ROSSI VUCINOVICH PC**

By: s/ James K. Vucinovich  
James K. Vucinovich, WSBA No. 29199  
**ATTORNEYS FOR PLAINTIFF**